

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TUNG WU,

Plaintiff,

-against-

THE CIVIL COURT OF CITY OF NEW
YORK, *et al.*,

Defendants.

21-CV-8668 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated December 13, 2021, the Court dismissed Plaintiff's complaint without prejudice for failing to either pay the \$402.00 in filing fees or file an application for leave to proceed *in forma pauperis* (IFP) as directed. (ECF 3.) On January 3, 2022, Plaintiff paid the filing fees, and on January 5, 2022, the Court reopened the case. (ECF 6.) On January 20, 2022, and January 24, 2022, Plaintiff submitted identical motions for an extension of time to file a notice of appeal. (ECF 7, 8.) Plaintiff did not file a notice of appeal.

Because the matter has been reopened, and because Plaintiff filed motions for an extension of time to file a notice of appeal but did not file a notice of appeal, the Court denies the motions as moot. The case shall be processed in accordance with the procedures of the Clerk's Office.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: February 14, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge